

REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Initially, it is noted that the outstanding Office Action inadvertently included an Interview Summary, which summarizes a telephone election made in a different application, as confirmed during a telephone discussion with Examiner Lee on December 8, 2009.

Claims 25-27, 30-32, and 35-48 are currently pending. Claim 28, 29, and 34 have been cancelled without prejudice or disclaimer; and Claims 25-27, 30, 32, and 35 have been amended by the present amendment. The changes to the claims are supported by the originally filed specification and do not add new matter.¹

In the outstanding Office Action, Claims 25, 28, 29, 32, and 35-48 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,911,779 to Lenhardt (hereinafter “the ‘779 patent”) in view of FR Patent Application Publication No. 2 636 380 to Quelen (hereinafter “the ‘380 application”) ; Claims 26 and 27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the ‘779 patent in view of the ‘380 application and U.S. Patent No. 5,358,568 to Okano et al. (hereinafter “the ‘568 patent”); Claims 30 and 34 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the ‘779 patent in view of the ‘380 application and FR Patent Application Publication No. 2 807 783 to Demars et al. (hereinafter “the ‘783 application”), corresponding to U.S. Patent No. 7,141,282 (hereinafter “the ‘282 patent”); and Claim 31 was rejected under 35 U.S.C. § 103(a) as being unpatentable over the ‘779 patent, the ‘380 application, the ‘568 patent, and the ‘783 application.

REJECTION UNDER 35 U.S.C. § 103

Amended Claim 25 is directed to

¹ See, e.g., Fig. 1 and the discussion related thereto in the originally filed specification.

[a] tool holder device for supporting at least one tool configured to collaborate with an edge of at least one substrate, the device comprising:

a first tool configured to move translationally or rotationally;

a second tool arranged fixedly and configured to operate while the at least one substrate is moving translationally;

a rotary support configured to receive the first tool, and to move translationally along a vertical beam and rotationally relative to the at least one substrate;

the vertical beam provided with the rotary support and with a linear guidance element extending at least partially over a height of the vertical beam, the linear guidance element being configured to prevent the rotary support from rotating when the rotary support is moved translationally, wherein

the at least one substrate is moved translationally relative to the first tool supported by the rotary support, as the first tool is operating in a predetermined position,

collaboration between the first tool and the at least one substrate occurs with or without contact relative to an edge face of the at least one substrate, and

the first tool comprises means for applying and bonding an interlayer to all or part of a periphery and to the edge faces of at least two substrates facing each other, and *the second tool comprises means for measuring, machining, shaping, or surface treating the at least one substrate.*

Claim 25 has been amended to incorporate, *inter alia*, features related to the features recited in cancelled Claims 28, 29, and 34. Accordingly, Applicants will address the rejections of Claims 28, 29, and 34 as being unpatentable over the '779 patent, the '380 application, and the '783 application.

Regarding the rejection of Claim 28, 29, and 34 under 35 U.S.C. § 103(a), the Office Action apparently acknowledges, and it is respectfully submitted, that the '779 patent and the '380 application, alone or in proper combination, fail to disclose at least the second tool of Claim 34. Rather, the Office Action cites the '783 application for such a teaching. Thus, it is

respectfully submitted that the '779 patent and the '380 application fail to disclose the second tool, as now defined in Claim 25.

The '783 application is directed to an insulating glazing unit and its manufacturing process. In particular, the Office Action apparently cites the '783 two rollers which are driven in two opposed directions for teaching a first tool and a second tool.²

However, it is respectfully submitted that the '783 application fails to at least disclose a second tool (comprising means for measuring, machining, shaping, or surface treating the at least one substrate) arranged fixedly and configured to operate while the at least one substrate is moving translationally. Rather, as noted in the Office Action, the '783 discusses that in order to save time in the girding operation, it is preferable to provide two rollers 54 which are driven in two opposed directions and carry out the girding of two halves of the perimeter simultaneously. The '738 application discusses that **the two press rollers 54 are brought into contact with a tape in order to apply it to a mid-point of a lower horizontal side of a glazing unit**. Once the tape has been pressed against the edge of the glazing unit, the '738 rollers 54 then move in opposite directions towards the left corner 13 and right lower corner 14 of the glazing unit.³ The '738 application does not disclose that one of the rollers 54 (i.e., the asserted second tool) is arranged fixedly and configured to operate while the glazing unit is moving translationally, *and comprises means for measuring, machining, shaping, or surface treating the glazing unit*.

Thus, no matter how the teachings of the '779 patent, the '380 application, and the '783 application are combined, the combination does not teach or suggest the second tool of Claim 25. Accordingly, it is respectfully submitted that Claim 25 (and all associated dependent claims) patentably defines over any proper combination of the '779 patent, the '380 application, and the '783 application.

² See Office Action dated September 21, 2009, page 6.

³ See '282 patent, column 6, lines 36-39 and 50-58.

Regarding the rejection of dependent Claims 26 and 27 under 35 U.S.C. § 103(a), it is respectfully submitted that the '568 patent fails to remedy the deficiencies of the '779 patent, the '380 application, and the '783 application, as discussed above. Thus, it is respectfully submitted that dependent Claims 26 and 27 patentably define over any proper combination of the '779 patent, the '380 application, the '783 application, and the '568 patent.

CONCLUSION

Thus, it is respectfully submitted that independent Claim 25 (and all associated dependent claims) patentably defines over the '779 patent, the '380 application, the '783 application, and the '568 patent.

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. A favorable action to that effect is respectfully requested.

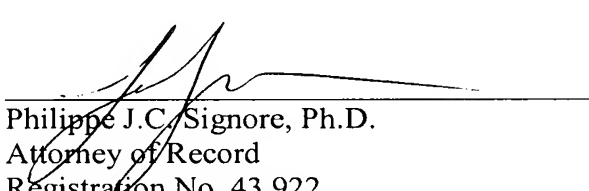
Respectfully submitted,

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